

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA	:	Hon. James B. Clark, III
v.	:	Mag. No. 22-12096
NISIM DAVYDOV	:	<b>ORDER FOR CONTINUANCE</b>

1. This matter came before the Court on the joint application of Philip R. Sellinger, United States Attorney for the District of New Jersey (DeNae M. Thomas, Assistant U.S. Attorney, appearing), and defendant Nisim Davydov (David Eskew, Esq., Heather Suchorsky, Esq., and Andrew Citron, Esq. appearing), for an order granting a continuance under 18 U.S.C. § 3161(h)(7)(A) through July 1, 2023.

2. This Court granted nine § 3161(h)(7)(A) continuances previously in this case.

3. Counsel for the parties represented that this additional continuance is necessary for effective preparation and to permit the parties to attempt to resolve this case prior to indictment and thereby avoid a trial.

4. Counsel for the United States also represented that this additional continuance is necessary to prevent any more non-excludable days under § 3161(h) from expiring.

5. The defendant knows that he has the right under § 3161(b) to have this matter submitted to a grand jury within thirty days after his arrest.

6. The defendant, through counsel, has consented to this continuance.

7. FOR GOOD CAUSE, THIS COURT FINDS that this case should be continued for the following reasons:

a. This case is sufficiently complex that it is unreasonable to expect adequate preparation for pretrial proceedings within the time limits provided by the Speedy Trial Act.

b. The parties are currently negotiating a resolution, and both the United States and the defendant desire additional time to negotiate an agreement, which would render grand jury proceedings and a trial in this matter unnecessary.

c. Thus, the ends of justice served by granting the continuance and preventing any further non-excludable days from passing under § 3161(h) outweigh the best interest of the public and the defendant in a speedy trial.

IT IS, therefore:

ORDERED that this action is continued for a period of 23 days from June 7, 2023 through July 1, 2023; and it is further

ORDERED that those days are excluded in computing time under the Speedy Trial Act of 1974; and it is further

ORDERED that nothing in this Order or the application prompting it is a finding or representation that less than 31 non-excludable days under § 3161(h) have expired.

s/James B. Clark, III  
HON. JAMES B. CLARK, III  
United States Magistrate Judge

Dated: June 15, 2023

Form and entry consented to:

*s/ DeNae M. Thomas*

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DeNae M. Thomas  
Assistant U.S. Attorney

*/s/ David M. Eskew*

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Andrew P. Citron  
David M. Eskew  
Heather Suchorsky  
Counsel for Nisim Davydov